

Clarke County

Planning Commission
Regular Meeting Minutes
March 4, 2016



A regular meeting of the Planning Commission of Clarke County, Virginia, was held at the Berryville/Clarke County Government Center, Berryville, Virginia, on Friday, March 4, 2016.

ATTENDANCE

Anne Caldwell, Vice Chair; Robina Bouffault; Randy Buckley; Mary Daniel; Doug Kruhm; Frank Lee; Gwendolyn Malone; Cliff Nelson and Jon Turkel.

ABSENT

George L. Ohrstrom, II, and Scott Kreider

STAFF

Brandon Stidham, Planning Director; Ryan Fincham, Senior Planner/Zoning Administrator; and Debbie Bean, Recording Secretary.

CALLED TO ORDER

Vice Chair Caldwell called the meeting to order at 9:00 a.m.

APPROVAL OF AGENDA

The Commission voted to approve the Agenda as presented.

Yes: Caldwell, Bouffault, Buckley, Daniel, Kruhm, Lee, Malone (seconded), Nelson (moved), and Turkel

No: No one

Absent: Kreider and Ohrstrom

APPROVAL OF MINUTES

The Commission voted to approve the briefing meeting minutes of February 2, 2016 with one minor correction.

Yes: Bouffault (moved), Buckley, Daniel, Kruhm, Lee, Malone, Nelson (seconded), and Turkel

No: No one

Absent: Kreider and Ohrstrom

Abstain: Caldwell

The Commission voted to approve the regular meeting minutes of February 5, 2016.

Yes: Bouffault, Buckley, Daniel, Kruhm (seconded), Lee, Malone (moved), Nelson, and Turkel

No: No one

Absent: Kreider and Ohrstrom

Abstain: Caldwell

Set Public Hearing Items

SUP-16-01/SP-16-01, Hecate Energy, LLC. Request approval of a Special Use Permit (SUP) and Site Plan to construct a 20MW solar power plant, large photovoltaic, in the Agricultural-Open Space-Conservation (AOC) District per §3-A-1-a-3(s) of the Zoning Ordinance. The subject property is located on the north side of Lord Fairfax Highway (U.S. 340) with frontage on the west side of Gun Barrel Road (Rt. 644), north side of Double Tollgate Road (Rt. 670), north side of Highland Corners Road (Rt. 669), and east side of Stonewall Jackson Highway (U.S. 522). Property is identified as Tax Map #27-A-5, is 234.84 acres in size, and is located in the White Post Election District.

Mr. Stidham gave a brief presentation on this request. He stated that the proposed facility would consist of a series of solar panels mounted on a specialized framing system that allows the panels to track with the position of the sun throughout the day. He said that the applicant has commented that the construction process is low-impact with minimal land disturbance. Mr. Stidham stated that the applicant indicated that they will offer training on the facility's equipment and operations to the County's emergency responders in an effort to develop procedures and protocols for potential incidents at the facility. He said that upon completion of the facility it will be unmanned with minimal lighting at the main entrance gate and on the substation. He said that traffic will consist of periodic visits to conduct routine inspections and maintain the facility and grounds. He stated that all documentation has been provided to constitute a special use permit and site plan application and Staff recommends the Commission schedule a Public Hearing for this proposed request for the April 1, 2016 meeting. After discussion with Staff and the Commission, Vice Chair Caldwell called for a motion.

The Commission voted to set public hearing for this proposed request for the April 1, 2016 Planning Commission meeting.

Yes: Caldwell, Bouffault (moved), Buckley, Daniel, Kruhm, Lee, Malone, Nelson, and Turkel
(seconded)

No: No one

Absent: Kreider and Ohrstrom

Minor/Major Subdivision

MS-16-02/MLSE-16-01, Byron B. Timberlake. Request approval of a two-lot Minor Subdivision and Maximum Lot Size Exception for the property identified as Tax Map #21-A-14 located at 541 Summerville Road in the White Post Election District, zoned Agricultural Open-Space Conservation (AOC).

Mr. Fincham explained this request. He said that Mr. Timberlake approached Staff in December about estate planning for the subject property owned by this father Byron Timberlake. He said that the applicant is proposing Lot 1 to be 19.7516 acres in size instead of the required 3 acre maximum average lot size by using the property's one allowable Maximum Lot Size exception. He stated that he has requested agency review comments from the Health Department, Dan Rom (County consultant), and VDOT. He said he has received approval comments back from the Health Department and Mr. Rom. He stated that as of today he has not received comments back from VDOT. After discussion with Staff and the Commission, Vice Chair Caldwell called for a motion.

Stuart Dunn, Surveyor for the applicant, was present and stated that he met with VDOT at the site and they approved the entrance.

The Planning Commission voted to approve this request on condition that VDOT approval is provided to Staff before the Zoning Administrator signs off on the final plat.

Yes: Caldwell, Bouffault (moved), Daniel, Kruhm, Lee, Malone (seconded), Nelson, and Turkel

No: No one

Absent: Kreider and Ohrstrom

Abstain: Buckley

Board/Committee Reports

Board of Supervisors (Mary Daniel)

Commissioner Daniel stated that the Board approved the following Text amendments on February 16, 2016: TA-15-03 Rear Yard Setback - RR District; TA-15-04 Board of Zoning Appeals–Code of Virginia Amendments; and TA-15-05 Forestal Open-Space Conservation (FOC) Development Regulations.

Board of Septic & Well Appeals (Mary Daniel)

No report.

Board of Zoning Appeals (Anne Caldwell)

No report.

Historic Preservation Commission (Doug Kruhm)

No report.

Conservation Easement Authority (George Ohrstrom, II)

In Chair Ohrstrom's absence, Commissioner Buckley reported the Authority is currently working on a donated easement in Longmarsh District.

Other Business

Appointment of Component Plan Review Subcommittees

- a. Agricultural Land Plan Subcommittee
- b. Business Intersections Area Plans Subcommittee

Vice Chair Caldwell stated that we need to appoint Commissioners to the Agricultural Land Plan Subcommittee and the Business Intersections Area Plans Subcommittee. She said it is the duty of the Chair but she said we can discuss this today and get it outlined. Mr. Stidham said that if everyone is comfortable with the suggested list of appointments we can agree by consensus to have Chair Ohrstrom appoint those committees when he returns.


Mr. Stidham said the first subcommittee is the Agricultural Land Plan Subcommittee which will need three Planning Commissioners and two members from the Agricultural and Forestal District Advisory Committee.

He said for the Planning Commissioners we have Randy Buckley, Robina Bouffault and Jon Turkel. He stated that from AFD Advisory Committee, Emily Day and Corey Childs have expressed interest in serving on that Committee.

Mr. Stidham stated that the second subcommittee is the Business Intersections Area Plans Subcommittee which will be for Double Tollgate and Waterloo. Vice Chair Caldwell, Commissioner Bouffault and Commissioner Malone have volunteered to serve on this subcommittee. He said they will be working on setting up the kickoff meeting for these subcommittees sometime in April.

Mr. Stidham stated that the Telecommunications Subcommittee met on February 22nd. He said that the Subcommittee made some adjustments to the draft ordinance and decided to go with the 199 foot tower height for cell towers. He said that County Attorney, Bob Mitchell recommends language stating that if any co-location results in a substantial modification of the tower it would be prohibited. Mr. Stidham said his next step is to finish the scope of work on the request for proposal for the telecommunications study. He said he is going to try to get that to the Board at their next meeting in March and hopefully they take action to direct us to issue that RFP and get that process rolling.

There being no further business to come before the Commission the meeting was adjourned at 9:20 a.m.



Anne Caldwell, Vice Chair



Brandon Stidham, Director of Planning

Minutes prepared by Debbie Bean, Recording Secretary